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WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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March 1, 2013

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MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", is written over the printed name and title.

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

As of the writing of this report, immigration reform legislation has not yet been introduced in Congress other than S. 1, a short "Sense of the Senate" placeholder bill, which Senate Majority Leader Reid introduced and numbered the bill, S. 1, to signify its importance. Congressional committees, however, have held several informational hearings on topics relating to immigration reform. The House Judiciary Committee, which has primary jurisdiction over immigration in the House, has held hearings on:

- America's Immigration System: Opportunities for Legal Immigration and Enforcement of Laws Against Illegal Immigration on February 5, 2013;
- Agricultural Labor Visa Programs relating to existing and potential agricultural temporary worker programs, on February 26, 2013;
- E-Verify Program, which is an internet-based system that employers may use for verifying whether their employees are U.S. citizens or legal immigrants who are authorized to work, on February 27, 2013.

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In addition, the House Homeland Security Committee, which oversees the Department of Homeland Security, held a hearing on border security on February 26, 2013, and the Senate Judiciary Committee, which has primary jurisdiction over immigration in the Senate, held a hearing on comprehensive immigration reform on February 13, 2013.

Draft Obama Administration Immigration Reform Bill Language

On February 17, 2013, portions of a draft Obama Administration immigration reform bill language were leaked to USA Today and the Miami Herald, which were posted on their websites. The leaked portions covered: Title I: Enforcement; Subtitle II: Legalization of Undocumented Individuals; Subtitle X: Employment Verification System; and Subtitle XI: Protecting American Workers. Based on the numbering of these titles and subtitles, much of the entire draft bill language, including the legal immigration sections, was not leaked.

The draft Obama Administration bill language is generally consistent with the corresponding sections of the attached White House immigration reform principles, which were released on January 29, 2013. However, one major difference is that draft bill language allows undocumented immigrants who are granted lawful provisional immigrant (LPI) status on their path to citizenship may apply for lawful permanent resident (LPR) status within eight years or 30 days after current legal immigration backlogs are cleared, whichever comes first. Under the White House principles, they must wait until after the immigration backlogs have been cleared before they can apply for LPR status. This change is significant because it could take far longer than eight years for current immigration backlogs to be cleared. For example, the backlog for certain "green card" applicants from the Philippines currently is 24 years.

Under the draft bill, undocumented immigrants granted LPI status would be barred from receiving most Federal means-tested public benefits, including non-emergency Medicaid services and the Affordable Care Act's (ACA) health exchange subsidies. In addition, the current 5-year period of ineligibility for most Federal means-tested public benefits for LPRs also will apply to LPIs after they become LPRs. **Therefore, newly legalized individuals may have to wait for 13 years before they become eligible for full-scope Medicaid benefits. In California, counties, however, must provide general assistance and medical care to indigent legalized individuals while they are barred from receiving Federal benefits, including Medicaid, Temporary Assistance for Needy Families (CalWORKs), and Supplemental Nutrition Assistance Program benefits.**

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After the draft immigration reform bill language was leaked, Administration officials indicated that the leak was unintentional and that the draft bill language would be distributed to affected Federal departments for their review. In addition, only portions of the draft immigration reform legislation were leaked. Therefore, the leaked draft bill language may not represent the Administration's "final" draft bill language.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

Attachment

The White House

Office of the Press Secretary

For Immediate Release

January 29, 2013

FACT SHEET: Fixing our Broken Immigration System so Everyone Plays by the Rules

America's immigration system is broken. Too many employers game the system by hiring undocumented workers and there are 11 million people living in the shadows. Neither is good for the economy or the country.

It is time to act to fix the broken immigration system in a way that requires responsibility from everyone - both from the workers here illegally and those who hire them - and guarantees that everyone is playing by the same rules.

President Obama's commonsense immigration reform proposal has four parts. First, continue to strengthen our borders. Second, crack down on companies that hire undocumented workers. Third, hold undocumented immigrants accountable before they can earn their citizenship; this means requiring undocumented workers to pay their taxes and a penalty, move to the back of the line, learn English, and pass background checks. Fourth, streamline the legal immigration system for families, workers, and employers.

Together we can build a fair, effective and commonsense immigration system that lives up to our heritage as a nation of laws and a nation of immigrants.

The key principles the President believes should be included in commonsense immigration reform are:

- **Continuing to Strengthen Border Security:** President Obama has doubled the number of Border Patrol agents since 2004 and today border security is stronger than it has ever been. But there is more work to do. The President's proposal gives law enforcement the tools they need to make our communities safer from crime. And by enhancing our infrastructure and technology, the President's proposal continues to strengthen our ability to remove criminals and apprehend and prosecute national security threats.
- **Cracking Down on Employers Hiring Undocumented Workers:** Our businesses should only employ people legally authorized to work in the United States. Businesses that knowingly employ undocumented workers are exploiting the system to gain an advantage over businesses that play by the rules. The President's proposal is designed to stop these unfair hiring practices and hold these companies accountable. At the same time, this proposal gives employers who want to play by the rules a reliable way to verify that their employees are here legally.
- **Earned Citizenship:** It is just not practical to deport 11 million undocumented immigrants living within our borders. The President's proposal provides undocumented immigrants a legal way to earn citizenship that will encourage them to come out of the shadows so they can pay their taxes and play by the same rules as everyone else. Immigrants living here illegally must be held responsible for their actions by passing national security and criminal background checks, paying taxes and a penalty, going to the back of the line, and learning English before they can earn their citizenship. There will be no uncertainty about their ability to become U.S. citizens if

they meet these eligibility criteria. The proposal will also stop punishing innocent young people brought to the country through no fault of their own by their parents and give them a chance to earn their citizenship more quickly if they serve in the military or pursue higher education.

- **Streamlining Legal Immigration:** Our immigration system should reward anyone who is willing to work hard and play by the rules. For the sake of our economy and our security, legal immigration should be simple and efficient. The President's proposal attracts the best minds to America by providing visas to foreign entrepreneurs looking to start businesses here and helping the most promising foreign graduate students in science and math stay in this country after graduation, rather than take their skills to other countries. The President's proposal will also reunify families in a timely and humane manner.

Continuing to Strengthen Border Security

- **Strengthen border security and infrastructure.** The President's proposal strengthens and improves infrastructure at ports of entry, facilitates public-private partnerships aimed at increasing investment in foreign visitor processing, and continues supporting the use of technologies that help to secure the land and maritime borders of the United States.
- **Combat transnational crime.** The President's proposal creates new criminal penalties dedicated to combating transnational criminal organizations that traffic in drugs, weapons, and money, and that smuggle people across the borders. It also expands the scope of current law to allow for the forfeiture of these organizations' criminal tools and proceeds. Through this approach, we will bolster our efforts to deprive criminal enterprises, including those operating along the Southwest border, of their infrastructure and profits.
- **Improve partnerships with border communities and law enforcement.** The President's proposal expands our ability to work with our cross-border law enforcement partners. Community trust and cooperation are keys to effective law enforcement. To this end, the U.S. Department of Homeland Security (DHS) will establish border community liaisons along the Southern and Northern borders to improve communication and collaboration with border communities, boost funding to tribal government partners to reduce illegal activity on tribal lands, and strengthen training on civil rights and civil liberties for DHS immigration officers.
- **Crack down on criminal networks engaging in passport and visa fraud and human smuggling.** The President's proposal creates tough criminal penalties for trafficking in passports and immigration documents and schemes to defraud, including those who prey on vulnerable immigrants through notario fraud. It also strengthens penalties to combat human smuggling rings.
- **Deporting Criminals.** The President's proposal expands smart enforcement efforts that target convicted criminals in federal or state correctional facilities, allowing us to remove them from the United States at the end of their sentences without re-entering our communities. At the same time, it protects those with a credible fear of returning to their home countries.
- **Streamline removal of nonimmigrant national security and public safety threats.** The President's proposal creates a streamlined administrative removal process for people who overstay their visas and have been determined to be threats to national security and public safety.

- **Improve our nation's immigration courts.** The President's proposal invests in our immigration courts. By increasing the number of immigration judges and their staff, investing in training for court personnel, and improving access to legal information for immigrants, these reforms will improve court efficiency. It allows DHS to better focus its detention resources on public safety and national security threats by expanding alternatives to detention and reducing overall detention costs. It also provides greater protections for those least able to represent themselves.

Cracking Down on Employers Who Hire Undocumented Workers

- **Mandatory, phased-in electronic employment verification.** The President's proposal provides tools for employers to ensure a legal workforce by using federal government databases to verify that the people they hire are eligible to work in the United States. Penalties for hiring undocumented workers are significantly increased, and new penalties are established for committing fraud and identity theft. The new mandatory program ensures the privacy and confidentiality of all workers' personal information and includes important procedural protections. Mandatory electronic employment verification would be phased in over five years with exemptions for certain small businesses.
- **Combat fraud and identity theft.** The proposal also mandates a fraud-resistant, tamper-resistant Social Security card and requires workers to use fraud-and tamper-resistant documents to prove authorization to work in the United States. The proposal also seeks to establish a voluntary pilot program to evaluate new methods to authenticate identity and combat identity theft.
- **Protections for all workers.** The President's proposal protects workers against retaliation for exercising their labor rights. It increases the penalties for employers who hire undocumented workers to skirt the workplace standards that protect all workers. And it creates a "labor law enforcement fund" to help ensure that industries that employ significant numbers of immigrant workers comply with labor laws.

Pathway to Earned Citizenship

- **Create a provisional legal status.** Undocumented immigrants must come forward and register, submit biometric data, pass criminal background and national security checks, and pay fees and penalties before they will be eligible for a provisional legal status. Agricultural workers and those who entered the United States as children would be eligible for the same program. Individuals must wait until the existing legal immigration backlogs are cleared before getting in line to apply for lawful permanent residency (i.e. a "green card"), and ultimately United States citizenship. Consistent with current law, people with provisional legal status will not be eligible for welfare or other federal benefits, including subsidies or tax credits under the new health care law.
- **Create strict requirements to qualify for lawful permanent resident status.** Those applying for green cards must pay their taxes, pass additional criminal background and national security checks, register for Selective Service (where applicable), pay additional fees and penalties, and learn English and U.S. civics. As under current law, five years after receiving a green card, individuals will be eligible to apply for U.S. citizenship like every other legal permanent resident.

- **Earned citizenship for DREAMers.** Children brought here illegally through no fault of their own by their parents will be eligible for earned citizenship. By going to college or serving honorably in the Armed Forces for at least two years, these children should be given an expedited opportunity to earn their citizenship. The President's proposal brings these undocumented immigrants out of the shadows.
- **Create administrative and judicial review.** An individual whose provisional lawful status has been revoked or denied, or whose application for adjustment has been denied, will have the opportunity to seek administrative and judicial review of those decisions.
- **Provide new resources to combat fraud.** The President's proposal authorizes funding to enable DHS, the Department of State, and other relevant federal agencies to establish fraud prevention programs that will provide training for adjudicators, allow regular audits of applications to identify patterns of fraud and abuse, and incorporate other proven fraud prevention measures.

Streamlining Legal Immigration

- **Keep Families Together.** The proposal seeks to eliminate existing backlogs in the family-sponsored immigration system by recapturing unused visas and temporarily increasing annual visa numbers. The proposal also raises existing annual country caps from 7 percent to 15 percent for the family-sponsored immigration system. It also treats same-sex families as families by giving U.S. citizens and lawful permanent residents the ability to seek a visa on the basis of a permanent relationship with a same-sex partner. The proposal also revises current unlawful presence bars and provides broader discretion to waive bars in cases of hardship.
- **Cut Red Tape for Employers.** The proposal also eliminates the backlog for employment-sponsored immigration by eliminating annual country caps and adding additional visas to the system. Outdated legal immigration programs are reformed to meet current and future demands by exempting certain categories from annual visa limitations.
- **Enhance travel and tourism.** The Administration is committed to increasing U.S. travel and tourism by facilitating legitimate travel while maintaining our nation's security. Consistent with the President's Executive Order on travel and tourism, the President's proposal securely streamlines visa and foreign visitor processing. It also strengthens law enforcement cooperation while maintaining the program's robust counterterrorism and criminal information sharing initiatives. It facilitates more efficient travel by allowing greater flexibility to designate countries for participation in the Visa Waiver Program, which allows citizens of designated countries to visit the United States without obtaining a visa. And finally it permits the State Department to waive interview requirements for certain very low-risk visa applicants, permitting resources to be focused on higher risk applicants and creates a pilot for premium visa processing.
- **"Staple" green cards to advanced STEM diplomas.** The proposal encourages foreign graduate students educated in the United States to stay here and contribute to our economy by "stapling" a green card to the diplomas of science, technology, engineering and mathematics (STEM) PhD and Master's Degree graduates from qualified U.S. universities who have found employment in the United States. It also requires employers to pay a fee that will support education and training to grow the next generation of American workers in STEM careers.

- **Create a “startup visa” for job-creating entrepreneurs.** The proposal allows foreign entrepreneurs who attract financing from U.S. investors or revenue from U.S. customers to start and grow their businesses in the United States, and to remain permanently if their companies grow further, create jobs for American workers, and strengthen our economy.
- **Expand opportunities for investor visas and U.S. economic development.** The proposal permanently authorizes immigrant visa opportunities for regional center (pooled investment) programs; provides incentives for visa requestors to invest in programs that support national priorities, including economic development in rural and economically depressed regions ; adds new measures to combat fraud and national security threats; includes data collection on economic impact; and creates a pilot program for state and local government officials to promote economic development.
- **Create a new visa category for employees of federal national security science and technology laboratories.** The proposal creates a new visa category for a limited number of highly-skilled and specialized immigrants to work in federal science and technology laboratories on critical national security needs after being in the United States. for two years and passing rigorous national security and criminal background checks.
- **Better addresses humanitarian concerns.** The proposal streamlines immigration law to better protect vulnerable immigrants, including those who are victims of crime and domestic violence. It also better protects those fleeing persecution by eliminating the existing limitations that prevent qualified individuals from applying for asylum.
- **Encourage integration.** The proposal promotes earned citizenship and efforts to integrate immigrants into their new American communities linguistically, civically, and economically.



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Fifth District

April 15, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

As of the writing of this report, comprehensive immigration reform legislation has not yet been introduced in Congress. However, as early as April 16, 2013, a bipartisan group of eight Senators may introduce the immigration reform bill on which they have been working since they released the framework for the bill on January 28, 2013. This bipartisan group of eight Senators includes Democratic Senators Schumer (New York), Durbin (Illinois), Menendez (Illinois), and Bennet (Colorado), and Republican Senators McCain (Arizona), Flake (Arizona), Rubio (Florida), and Graham (South Carolina). While Senator Feinstein is not part of this group, she played an active role in negotiations on a new agricultural guest worker program, which is likely to be included in the bipartisan Senate immigration reform bill.

The Senate Judiciary Committee, which has jurisdiction over immigration, has scheduled two hearings on the bipartisan Senate immigration reform legislation – an initial hearing on April 19, 2013 and a second one on April 22, 2013. The House leadership has indicated that the House will wait for the Senate to pass its immigration reform bill before scheduling legislative action on the House version.

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Each Supervisor
April 15, 2013
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Last month, the Senate Judiciary Committee held the following informational hearings relating to immigration:

- A hearing on “How Comprehensive Immigration Reform Should Address the Needs of Women and Families” on March 18, 2013; and
- A hearing on “Building an Immigration System Worthy of American Values” on March 20, 2013.

The House Judiciary Committee, which has jurisdiction over immigration in the House, held the following informational hearings relating to immigration reform:

- A hearing on “Enhancing American Competitiveness through Skilled Immigration” on March 5, 2013; and
- A hearing on “Separation of Immigrant Nuclear Families” on March 14, 2013.

We will continue to keep you advised.

WTF:RA
MR:MT:er

c: Executive Office, Board of Supervisor
County Counsel



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WILLIAM T FUJIOKA
Chief Executive Officer

May 2, 2013

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Fifth District

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
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Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

Senate

On April 16, 2013, S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013, was introduced. It is the long-awaited comprehensive immigration reform bill, drafted by the bipartisan group of eight Senators, who include: Democratic Senators Schumer (New York), Durbin (Illinois), Menendez (New Jersey), and Bennet (Colorado), and Republican Senators McCain (Arizona), Flake (Arizona), Rubio (Florida), and Graham (South Carolina). The 844-page bill reflects the input of a number of other Senators, including Senator Feinstein who played a major role in negotiating a new agricultural guest worker program, which is included in the bill.

Major elements of S. 744 include:

- **Border Security:** Requires the Department of Homeland Security (DHS) to develop and implement a Comprehensive Border Security Strategy and Southern Border Fencing Strategy, and establishes a trust fund to help implement these strategies;

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- **Interior Enforcement:** Requires all employers to use the automated employment verification system ("E-Verify") within five years. Implements a photo identification component to E-Verify, and also includes immigration court improvements and detention reforms;
- **Path to Citizenship/Legalization:** Provides a path to citizenship for undocumented immigrants currently in the United States who meet certain requirements, such as passing criminal background checks, paying back taxes, fines, and application fees, with a simpler and faster path for childhood arrivals ("DREAMers") and undocumented farm workers;
- **Legal Immigration Reforms:** Makes numerous reforms of the current legal immigration system, including changes to the current family-based and economic-based systems, the creation of a new merit-based system and new non-immigrant visa for certain families who are waiting for green cards, and measures aimed at reducing current legal immigration backlogs; and
- **Non-Immigrant (Temporary) Visa Reforms:** Reforms and expands the current H-IB non-immigrant visa program for highly skilled foreign workers, creates a new "W" non-immigrant visa lesser-skilled foreign workers, creates a new agricultural guest worker program, and a new "INVEST" visa for qualifying foreign entrepreneurs.

The Senate Judiciary Committee, which has jurisdiction over immigration, held hearings on comprehensive immigration reform (and S. 744) on April 19, 22, and 23, 2013. Committee mark-up on S. 744 is scheduled to begin on May 9, 2013 with a deadline of 5:00p.m. on May 7, 2013 for Committee members to file amendments to the bill. On May 1, 2013, the Committee already posted a 350-page sponsor's amendment to the bill, which did not significantly change its major elements. Most of the changes were technical corrections, clarifying language, and application fee increases for non-immigrant visas to help finance the cost of implementing the bill. It is widely expected that the Senate Judiciary Committee's mark-up of S. 744 will take up most of the month of May and that Senate floor action will take place in June 2013.

House

Comprehensive immigration reform legislation has not yet been introduced in the House. A bipartisan group of eight members - Democratic Representatives Becerra, Gutierrez (Illinois), Lofgren (California), and Yarmouth (Kentucky) and Republican Representatives Diaz-Balart (Florida), Johnson (Texas), Labrador (Idaho), and Carter (Texas) - have been working on a House immigration reform bill. However, only three

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of them (Lofgren, Gutierrez, and Labrador) serve on the 40-member Judiciary Committee, which has jurisdiction over immigration in the House. Moreover, the Committee's Chairman Goodlatte (R-VA) supports a piece-by-piece approach to enacting immigration legislation rather than through a single immigration reform bill, and his priorities are to begin with bills which would strengthen border security and immigration enforcement and meet economic needs, such as through creating a new agricultural guest worker program and expanding temporary work visas.

It is unclear how the House will address immigration legislation this year though the House leadership previously has indicated that the House will wait for the Senate to pass its immigration reform bill before scheduling legislative action on a House version.

We will continue to keep you advised.

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County Counsel



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June 6, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

Senate

On May 21, 2013, the Senate Judiciary Committee approved S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013, which is the bipartisan "Gang of Eight" immigration reform bill. The bill was approved, 13 to 5, with all 10 Democrats and three Republicans voted to approve the bill, including Senators Flake (R-AZ) and Graham (R-SC) who are part of the Gang of Eight. Senator Hatch (R-UT) was the third Republican who voted to approve the bill. The Committee held five days of mark-up on the bill over a three-week period during which they considered over 160 amendments. The Committee approved over 90 amendments, beginning with a 350-page sponsor's substitute amendment.

Before the Committee mark-up began, the four members of the Gang of Eight who serve on the Committee indicated that they would oppose amendments which would significantly change the bill's core elements for which compromises had been reached. The Committee, in fact, did not significantly change any of the bill's core elements, including its path to citizenship for undocumented immigrants currently in the

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United States - the element which would most significantly affect the County. Attached is the May 6, 2013 Washington, D.C. Update on the bill, which describes its path to citizenship and other major elements.

The Committee approved two amendments of County interest, offered by Senator Feinstein, relating to the State Criminal Impact Assistance Program (SCAAP) and Southwest Border Prosecution Initiative (SWBPI) through which the County receives Federal funding. The SCAAP amendment reauthorizes SCAAP at an authorized funding level of \$950 million a year through Federal Fiscal Year (FFY) 2015 and expands SCAAP-reimbursable costs to include the incarceration of undocumented criminal aliens who were charged but not convicted, and clarifies that the cost of criminal aliens whose immigration status cannot be verified by the Department of Homeland Security is reimbursable by SCAAP. The effect of this amendment would be to increase the share of total annual SCAAP appropriations awarded to counties relative to states. The SWBPI amendment would reauthorize SWBPI through FFY 2018 and expand state and local costs that are eligible for SWBPI reimbursement to include clerical support and public defenders' services associated with the prosecution of federally initiated immigration-related cases.

Senate floor action on S. 744 is expected to begin during the week of June 10, 2013 with a vote on the bill's passage by the end of June.

House

Comprehensive immigration reform legislation has not yet been introduced in the House. A bipartisan group of eight members - Democratic Representatives Becerra, Gutierrez (Illinois), Lofgren (California), and Yarmouth (Kentucky) and Republican Representatives Diaz-Balart (Florida), Johnson (Texas), Labrador (Idaho), and Carter (Texas) - have been working on a House immigration reform bill. On June 5, 2013, Representative Labrador announced that he no longer would participate in the group because the group had not agreed to include bill language which would require undocumented immigrants who are granted legal status to purchase health insurance. In a news release, he indicated that, until recently, it had been agreed to in principle.

According to recent press reports, this bipartisan group has reached agreement on the principles for immigration reform legislation, but still is drafting bill language, which is far more complicated and contentious. Only two of the remaining members of the bipartisan House group (Representatives Gutierrez and Lofgren) serve on the House Judiciary Committee, which has jurisdiction over immigration, and both of them are Democrats. Moreover, Republicans outnumber Democrats on the Committee by a 23 to 17 margin. Therefore, the bipartisan House group has far less influence on the House

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Judiciary Committee than the Senate Gang of Eight has on the Senate Judiciary Committee. Four of the Gang of Eight Senators serve on the 18-member Senate Judiciary Committee. The House Judiciary Committee has not yet scheduled any mark-up of immigration reform legislation, and the outlook for House action remains unclear.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

Attachment

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May 6, 2013

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To: Supervisor Mark Ridley-Thomas, Chairman
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Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

WASHINGTON, D.C. UPDATE ON SENATE IMMIGRATION REFORM LEGISLATION

Executive Summary

This memorandum is to provide the Board with an update on bipartisan "Gang of Eight" immigration reform legislation (S. 744), which is scheduled to be marked up in the Senate Judiciary Committee beginning on May 9, 2013.

- The bill's major elements include a path to citizenship for undocumented immigrants, strengthened border security and other immigration enforcement measures, and legal immigration reforms that increase the number of legal immigrants, including temporary workers, admitted into the United States.
- The bill's path to citizenship and legal immigration reforms would significantly increase the number of legal immigrants in Los Angeles County who would be ineligible for Federal means-tested benefits, such as full-scope Medicaid services, but become eligible for State-mandated and County-funded General Relief and health services that are available to all indigent legal residents.
- Under the bill, the vast majority of undocumented immigrants granted legal status in the County would be ineligible for Federal means-tested benefits for at least 15 years and for the Affordable Care Act's health exchange subsidies for at least 10 years, shifting the cost of aiding them to the County.

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Major Elements of S. 744, Bipartisan Senate Immigration Reform Legislation

On April 16, 2013, S. 744 (Schumer, D-NY), the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013, was introduced. This is the long-awaited 844-page comprehensive immigration reform bill, drafted by the bipartisan "Gang of Eight" Senators. On May 1, 2013, the Senate Judiciary Committee posted a 350-page sponsor's amendment to the bill, which will be considered during the Committee's mark-up of the bill, which is scheduled to begin on May 9, 2013. This amendment would not significantly change the major elements of the bill. Most of its changes consist of technical corrections, clarifying language, and application fee increases for non-immigrant visas to help finance the cost of implementing the bill.

Major elements of S. 744 include:

- **Border Security:** Requires the Department of Homeland Security (DHS) to develop and implement a Comprehensive Border Security Strategy and Southern Border Fencing Strategy, and establishes a trust fund to help implement these strategies;
- **Interior Enforcement:** Requires all employers to use the automated employment verification system ("E-Verify") within five years. Implements a photo identification component to E-Verify, and also includes immigration court improvements and detention reforms;
- **Path to Citizenship/Legalization:** Provides a path to citizenship for undocumented immigrants currently in the United States who meet certain requirements, such as passing criminal background checks, paying back taxes, fines, and application fees, with a simpler and faster path for childhood arrivals ("DREAMers"), and undocumented farm workers;
- **Legal Immigration Reforms:** Makes numerous reforms of the current legal immigration system, including changes to the current family-based and economic-based systems, the creation of a new merit-based system and new non-immigrant visa for certain families who are waiting for green cards, and measures aimed at reducing current legal immigration backlogs; and
- **Non-Immigrant (Temporary) Visa Reforms:** Reforms and expands the H-1B non-immigrant visa program for highly skilled foreign workers, creates a new "W" non-immigrant visa for lesser-skilled foreign workers, creates a new agricultural guest worker program, and a new "INVEST" visa for qualifying foreign entrepreneurs.

Of County interest, S. 744 extends the authorization of appropriations for the State Criminal Alien Assistance Program (SCAAP) through Federal Fiscal Year (FFY) 2015 at its authorization level of \$950 million in FFY 2011 when its authorization expired. The authorization level sets the maximum amount of funds that can be appropriated for a program. SCAAP always has been funded below its authorization level. In fact, while SCAAP's authorization level rose from \$850 million in FFY 2007 to \$950 million in FFYs 2008 through 2011, its annual appropriations dropped each year from \$410 million in FFY 2008 to \$240 million in FFY 2012.

Path to Citizenship for Undocumented Immigrants

The bill's provision which would most significantly affect the County is its path to citizenship for undocumented immigrants who currently are in the U.S.

Under S. 744, eligibility for legalization would be limited to undocumented immigrants who have been in the U.S. since before 2012, have not been convicted of a felony or three misdemeanors, and pay penalty fines, any tax liabilities, and application fees. The legalization application period would begin on the date on which the final rule governing legalization is published in the Federal Register. The application period will last for one year, but may be extended for an additional 18 months by the Secretary of Homeland Security ("DHS Secretary").

Qualifying legalization applicants initially would be granted Registered Provisional Immigrant (RPI) status, which would last six years, and which can be renewed every six years. Under current law, all lawfully present individuals, which would include anyone granted RPI status, are eligible for Affordable Care Act (ACA) health exchange subsidies. The bill, however, amends the ACA to bar RPIs from receiving such subsidies. The sponsor's amendment to the bill also amends the ACA to clarify that RPIs would be exempt from individual mandate penalties for lacking health insurance.

After 10 years of RPI status, the bill would allow RPIs to apply for lawful permanent resident (LPR) status and to apply for citizenship after 3 years of LPR status. Current law, which bars LPRs from receiving most Federal means-tested benefits (including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), and full-scope Medicaid benefits) for five years, also would apply to RPIs and their subsequent first 5 years of LPR status.

The bill's path to citizenship would be costly for applicants. Required fines would total \$2,000 - an initial \$500 fine to apply for RPI status, another \$500 fine to renew RPI status, and a \$1,000 fine to apply for LPR status. Separate application processing fees

also must be paid - one to apply for RPI status and others to apply for the renewal of RPI status, LPR status, and naturalization. The bill does not specify the dollar amount of the application fees, but the fees are supposed to offset the entire cost of processing and adjudicating applications. The current application fee, including the \$85 biometric fee for criminal background checks, is \$1,070 to apply for LPR status and \$680 to apply for naturalization.

The bill also includes stringent employment requirements for the renewal of RPI status after six years and adjustment to LPR status after 10 years. To renew RPI status, an RPI must either: (1) have been regularly employed without any gap of over 60 days and is not likely to become a public charge; or (2) show an average income over 100% of the Federal poverty level (FPL) throughout the period of RPI status. The employment requirement for LPR status is similar except for a higher 125% FPL threshold. The DHS Secretary may waive the employment requirements if an RPI can demonstrate extreme hardship to himself/herself or to an immediate family member who is a U.S. citizen. There also is an exemption from the employment requirement during periods of full-time attendance in certain educational institutions. The English and civics test for naturalization also will be required for RPIs to obtain LPR status.

The path to citizenship would be faster for DREAMers - undocumented immigrants who entered the U.S. before age 16, graduated from high school, and meet certain higher education or military service requirements. They would be allowed to adjust to LPR status after 5 years of RPI status and to apply for naturalization after receiving LPR status without the normal 5-year waiting period. The DHS Secretary also is allowed to apply streamlined procedures to their adjustment to LPR status.

The path to citizenship also would be faster for undocumented farm workers who worked for at least 575 hours or 100 days during 2011 and 2012. They would be granted a "blue card" (not RPI status) and could apply for LPR status after 5 years if they met certain farm work requirements. Similar to RPIs, blue card holders would be ineligible for ACA exchange subsidies and also be subject to the 5-year bar on Federal means-tested benefits after they receive LPR status.

Potential Impacts of the Senate Immigration Reform Bill

The impacts of any immigration reform legislation cannot be predicted with any degree of certainty, and will be significantly affected by how the Federal government interprets, enforces, and administers immigration laws, which is likely to change over time. It is noteworthy that some of the biggest impacts of the two most recently enacted immigration reform laws were unanticipated. Since the Immigration and Nationality Act of 1965 was enacted, immigration from Asia grew far more than expected, and illegal

immigration also grew far more than expected after the enactment of the Immigration Reform and Control Act of 1986, which established employer sanctions against the hiring of undocumented workers and included other measures aimed at curbing illegal immigration.

With these caveats in mind, the bill's provisions which would affect the County the most are its path to citizenship for undocumented immigrants and legal immigration reforms which would significantly increase the number of legal immigrants in the County who initially would be ineligible for Federal means-tested benefits, such as full-scope Medicaid benefits, but would become eligible for General Relief and health services that counties are mandated to provide all indigent legal residents under Section 17000 of the State Welfare and Institutions Code.

The County has over 3.5 million foreign-born residents of whom an estimated 1.1 million are in the country illegally (or roughly one-tenth of all undocumented immigrants who would be eligible for legalization in the U.S.). In the past decade, legal immigration into the County averaged over 80,000 a year. That number would increase significantly if the bill were enacted, especially due to its provisions which seek to eliminate the current long backlogs of relatives of U.S. citizens and lawful permanent residents (LPRs) who are waiting to be admitted into the country. The longest backlogs are from countries, such as Mexico, Philippines, China, Korea, and India, which also are the countries of origin for most of the County's large naturalized citizen and LPR populations.

Under current law, all non-citizens are ineligible for most Federal means-tested benefits, such as TANF, SNAP, SSI, and full-scope Medicaid benefits, for their first five years of LPR status. However, all legal non-citizens, including those with non-immigrant (temporary) visas, are eligible for ACA health exchange subsidies without a 5-year waiting period. Such subsidies also are available to all legal non-citizens who would have qualified for Medicaid if it were not for the 5-year bar. The Senate bill, however, amends the ACA to make undocumented immigrants who are granted Registered Provisional Immigrant (RPI) status ineligible for ACA subsidies. While RPIs would become eligible for such subsidies after they become LPRs, but would remain ineligible for most other Federal means-tested benefits during their first five years of LPR status.

In practical terms, the period of ineligibility for ACA subsidies could be significantly longer than 10 years for many, if not most legalized individuals, and their waiting period for means-tested benefits, such as full-scope Medicaid benefits, could be significantly longer than 15 years. This is because, while S. 744 allows RPIs to apply for LPR status after 10 years of RPI status, many, if not most, will not apply for LPR status soon after they become eligible, and it also will take time for their criminal background checks to be cleared and for their LPR applications to be adjudicated. The application processing

backlogs especially could be long when so many individuals are likely to be applying around the same time.

The bill also includes legalization application requirements that could lower participation rates or delay the submission of applications. For example, the combined total of \$2,000 in fines and potentially an even greater amount of application fees will be a financial barrier for many to become LPRs. Many RPIs also may delay applying for LPR status until they see how DHS strictly applies the bill's new requirement of regular employment without a gap over 60 days or an income over 125% of the federal poverty level during the entire 10-year period of RPI status. Unless the DHS Secretary routinely waives this requirement for extreme hardship, many RPIs are unlikely to meet this employment/income requirement. This is one example of how the federal government implements the new law will significantly affect its ultimate impacts.

The ineligibility of newly legalized individuals for both ACA health subsidies for at least 10 years and for full-scope Medicaid benefits for at least 15 years is likely to have the greatest impact on County-funded services. This is because the County's undocumented population is far less likely to be insured than other County residents. Based on the results of the 2009 California Health Interview Survey (CHIS), which surveyed 9,608 households in the County, up to 446,000 former undocumented immigrants in the County would remain uninsured despite becoming legal immigrants due to the bill's restrictions on their eligibility for Federal-funded health benefits. Under State law, the County is responsible for health services provided to indigent County residents who are ineligible for Federal Medicaid benefits.

The County also could incur increased costs for General Relief provided to newly legalized individuals who are denied SSI and TANF benefits. Based on the County's prior experience with the legalization program under the Immigration Reform and Control Act (IRCA) of 1986, those costs would be relatively small, compared to health services. Under IRCA's legalization program, newly legalized aliens were denied eligibility for most Federal means-tested benefits for five years, and \$4 billion was appropriated for a State Legalization Impact Assistance Grant (SLIAG), which reimbursed state and local costs, of public health, public assistance (including medical care and mental health services), and educational services provided to legalized aliens during their 5-year period of ineligibility for most Federal benefits. Reimbursement for public health and public assistance costs was limited to costs of services for which legalized aliens were eligible under pre-existing state or local programs. The County, which alone accounted for 720,000 of the 2.7 million undocumented immigrants who were granted legal status, received over \$800 million in SLIAG reimbursement, nearly all of which were for indigent health services, mental health, and public health.

Each Supervisor
May 6, 2013
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It is noteworthy that, unlike IRCA, S. 744 does not create a similar impact assistance fund to reimburse state and local costs of assisting newly legalized individuals while they are denied Federal means-tested benefits even though a far greater number of legalized individuals would be denied such benefits for far longer than five years. This cost shift from the Federal government to state and local governments would be especially unfair because newly legalized individuals would be paying taxes, fines, and fees to the Federal government, but state and local governments, such as the County, would have bear most of the cost of services provided to them. In California, it is county government which would have to bear the lion's share of health and public assistance costs.

Numerous studies have estimated that most of the taxes paid by immigrants, including undocumented immigrants, go to the Federal government in the form of Social Security and Medicare payroll taxes. This is because immigrants have very high labor force participation rates relative to the rest of the population, and payroll taxes are collected from all workers, including undocumented workers. The large amount of fines and fees that legalization applicants would be required to pay also would reduce their disposal incomes, which indirectly would reduce state and local sales tax revenues.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

c: Executive Office, Board of Supervisor
County Counsel



WILLIAM T FUJIOKA
Chief Executive Officer

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July 11, 2013

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Fifth District

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", is written over the printed name.

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

Senate

On June 27, 2013, the Senate passed, by a vote of 68 to 32, S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013, which is a comprehensive immigration reform bill. All Democrats voted "aye" while Republicans voted 32 to 14 against the bill. Before passing S. 744, the Senate debated the bill for three weeks. Numerous amendments were introduced, but the vast majority of them were withdrawn or tabled.

Hoevan-Corker Amendment: One major substitute amendment to S. 744 was approved on a 68 to 32 vote - an amendment offered by Republican Senators Hoevan and Corker, which was designed to attract more support for the bill, especially from Republican Senators by strengthening immigration enforcement. While the amendment is called the Hoevan-Corker border security amendment, it makes many other changes which are not related to border security and which do not affect core elements of the bill. For example, it incorporates Senator Sanders' (I-VT) amendment language to create a new \$1.5 billion Youth Jobs Fund from which summer and year-round employment

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opportunities would be provided to low-income youth through the Workforce Investment Act system. This Fund would be financed by imposing higher fees on employers who submit applications for certain employment-based visas on behalf of foreign workers.

The most significant change made by the Hoenes-Corker amendment is that it provides that undocumented immigrants who are granted registered provisional immigrant (RPI) status under the bill cannot receive lawful permanent resident (LPR) status, until all five immigration enforcement conditions are met. These five conditions are:

- A comprehensive Southern Border Security Strategy, which meets certain specified minimum requirements for each sector along the border with Mexico, has been deployed and is operational;
- The Border Patrol has deployed, maintained, and stationed 20,000 full-time agents on the southern border in addition to the 18,405 agents already stationed there;
- The miles of fencing along the southern border has been increased from the current 350 miles to at least 700 miles of fencing;
- The bill's mandatory "E-Verify" employment verification system has been fully implemented for all employers; and
- The bill's new mandatory electronic entry/exit system has been fully implemented at all international air and sea ports of entry within the United States where U.S. Customs and Border Protection officers are currently deployed.

The Congressional Budget Office (CBO) estimates that the amendment's immigration enforcement measures will increase Federal spending by about \$38 billion, and reduce the number of undocumented immigrants by about 800,000 in 2023.

Before this amendment was approved, the bill would have allowed former undocumented immigrants to apply for LPR status ("green cards") after 10 years of RPI status. They, instead, would have to wait longer than 10 years if all five of the above conditions have not been met. Because no floor amendment was adopted to expand the eligibility of newly legalized individuals for Federal health and welfare benefits, they still would not be eligible for Affordable Care Act (ACA) health exchange subsidies during their entire period of RPI status, and for Federal means-tested benefits, such as full-scope Medicaid and Supplemental Nutrition Assistance Program (SNAP) benefits, until after they have been LPRs for five years.

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No floor amendment was approved that would expand the eligibility of any immigrants, including those granted RPI or LPR status, for Federal health and welfare benefits. However, the Hoevan-Corker amendment included language to bar any RPI from receiving Social Security credits for otherwise qualifying quarters of work performed between January 1, 2004 and 2014. This, in effect, would delay the ability of many newly legalized individuals to qualify for Social Security and Medicare benefits, including Social Security Disability Insurance (SSDI) and Medicare for which eligibility is based on disability and work credits. The Social Security Actuary recently estimated that, in 2010, 3.9 million undocumented immigrants contributed as much as \$13 billion in Social Security payroll taxes while working.

House

Comprehensive immigration reform legislation has not yet been introduced in the House. Following a closed-door House Republican caucus meeting on immigration held on July 10, 2013, the House Republican leadership issued a joint statement indicating that rather than taking up the "flawed legislation rushed through the Senate," House committees will continue their work on a step-by-step approach to fixing the immigration system. The "flawed legislation" refers to S. 744, and the "step-by-step" approach refers to narrower immigration bills rather than a comprehensive immigration reform bill, similar to S. 744. House Speaker Boehner has pledged not to bring up any bill to the House floor, which is not supported by the majority of House Republicans. This has meant that an immigration reform bill with a path to citizenship for undocumented immigrants would not be brought to the House floor.

We will continue to keep you advised.

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WILLIAM T FUJIOKA
Chief Executive Officer

August 5, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

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PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013. Congress will not take any action on immigration reform during the next five weeks because it adjourned for its summer recess on August 2, 2013, and will not reconvene until September 9, 2013.

Senate

On June 27, 2013, the Senate passed, 68 to 32, S. 744, a comprehensive immigration reform bill, which includes increased enforcement measures, legal immigration reforms, and a path to citizenship for undocumented immigrants who have resided in the country since December 31, 2011.

House

Immigration reform legislation has not yet been introduced in the House. Instead of considering S. 744 or crafting a comprehensive immigration reform bill, the Republican-controlled House is taking a "step-by-step" approach of moving narrower immigration bills. To date, the House Judiciary Committee, which has primary jurisdiction over immigration, has approved four immigration bills along party lines without a single "aye" vote from a Democrat. As discussed below, none of these bills include a path to citizenship for undocumented immigrants, and they also differ from S. 744 in other major respects.

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H.R. 2278 (Gowdy, R-SC), the Strengthen and Fortify Enforcement (SAFE) Act, would make it a crime for undocumented immigrants to be unlawfully present in the United States, authorize state and local governments to enact and enforce immigration laws, impose penalties for the violation of Federal immigration laws, and also authorize state and local law enforcement agencies to issue detainers to hold criminal aliens and to detain deportable inmates for 14 days after the completion of their sentences before transferring them to Federal custody. These provisions are similar to those included in H.R. 4437 (Sensenbrenner, R-WI), the Border Protection, Antiterrorism, and Illegal Immigration Control Act, which passed the House in December 2005, and which the Board voted to oppose in 2006. S. 744 does not contain similar language.

Of County interest, H.R. 2278 also authorizes such sums as may be necessary for the State Criminal Alien Assistance Program (SCAAP) in Fiscal Year (FY) 2014 and subsequent years, transfers SCAAP from the Department of Justice to the Department of Homeland Security (DHS), and makes the cost of incarcerating criminal aliens who have been charged but not convicted eligible for SCAAP reimbursement. S. 744 also makes the cost of incarcerating inmates who were charged but not convicted eligible for reimbursement, but does not transfer SCAAP to the DHS and authorizes \$950 million for SCAAP in FYs 2014 and 2015. Counties would receive a greater share of total SCAAP funding if the cost of incarcerating charged but not convicted inmates are reimbursable because counties, but not states, incarcerate charged inmates.

H.R. 2278, but not S. 744, also would authorize funding for new grants to State and local governments for equipment, technology, facilities, and other products that facilitate and are directly related to investigating, apprehending, arresting, detaining, or transporting non-citizens who are inadmissible or deportable. Similar to SCAAP, funding for such grants would be subject to available annual appropriations.

H.R. 1772 (Smith, R-TX), the Legal Workforce Act, would expand the current voluntary E-Verify system which allows employers to electronically verify whether newly hired individuals are U.S. citizens or legal non-citizens who are eligible to work in lieu of verifying paper documents of citizenship and/or immigration status. Most notably, the bill would phase in a requirement that all employers use E-Verify within two years of the bill's enactment, starting with employers with 10,000 or more employees within six months and ending with employers with less than 20 employees within two years. It would allow states to enforce Federal employment eligibility verification laws and penalize employers for not using E-Verify. In contrast, S. 744 would not require the use of E-Verify until five years after the bill's enactment and also provides worker protections, such as administrative appeals procedures, which are not included in the House bill.

The current paper document verification system used by 93 percent of all employers has allowed undocumented immigrants to work using fake documents. While E-Verify is far more accurate, it still currently has error rates which would translate into hundreds of thousands of lawfully present individuals being erroneously denied employment if its use were required of all employers. The Senate approach is to provide more time for E-Verify to be improved before mandating its use by all employers, and to address the labor needs that currently are met by undocumented workers by allowing undocumented immigrants to legalize their status and increasing the number of foreign workers who are admitting into the country.

H.R. 1773 (Goodlatte, R-VA), the Agricultural Guestworker Act, would replace the existing H-2A agricultural guestworker program with a new H-2C program, which would have fewer worker protections and expand the definition of agricultural workers to include permanent year-round agricultural workers, including those working in dairy, poultry, and meat processing plants. The number of H-2C workers would be capped at 500,000, excluding any undocumented farmworkers who currently are in the U.S. who leave the country and re-enter as H-2C workers.

The new H-2C program differs significantly from the agricultural worker provisions in the Senate bill, which would provide a path to lawful immigration and citizenship status for undocumented farmworkers, their spouses, and minor children without requiring them to leave the country. Under H.R. 1773, undocumented farmworkers who re-enter the U.S. as H-2C workers would not be allowed to bring their spouses and minor children. Besides legalizing the status of current undocumented farmworkers, S. 744 also establishes a new agricultural guestworker program, which would have a cap of 337,000 workers during the first five years with future caps adjusted based on an assessment of the shortage of agricultural workers and level of unemployment. Unlike H.R. 1773, the Senate bill neither broadens the definition of agricultural workers nor reduces worker protections.

H.R. 2131 (Issa, R-CA), the Supplying Knowledge-based Immigrants and Lifting Levels of STEM (SKILLS) Visas Act would increase the number of “green” cards” provided to “STEM” (science, technology, engineering, and mathematics) college graduates and other employment-based visas, including H-1B visas for temporary workers in specialty occupations. The bill also would eliminate the current 65,000 a year in immigrant visas for siblings of U.S. citizens and 56,000 diversity visas a year which currently are available to immigrants from countries that send relatively few immigrants to the U.S. S. 744 differs from H.R. 2131 by making more sweeping legal immigration reforms, including the elimination of current “green card” backlogs for both family-based and employment-based visas and the imposition of higher fees on employment-based visas to help finance Federal immigration-related costs, such as for

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August 5, 2013
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border security and other immigration enforcement measures. S. 744 similarly eliminates sibling and diversity visas, but provides a larger increase in STEM and H1-B visas than H.R. 2131.

The House Homeland Security Committee approved H.R. 1417 (McCaul, R-TX), the Border Security Results Act, which would require the Department of Homeland Security to develop a comprehensive strategy and implementation plan to secure operational control of the border (the ability to apprehend or turn back 90 percent of all illegal border crossings). Unlike the four House Judiciary Committee bills, which were approved without any support from Democrats, H.R. 1417 was approved on a voice vote with Democrat support.

H.R. 1417 differs significantly from S. 744 because, unlike the Senate bill, it neither prescribes how the DHS shall improve border security nor provides any funding. In contrast, S. 744 appropriates \$46.3 billion for improved border security, including for prescribed border security measures, such as 700 miles of fencing along the southern border and the deployment of an additional 20,000 full-time Border Patrol agents.

In sum, all five of the immigration bills, which have been approved by House committees, differ significantly from S. 744, not limited to the lack of a path to citizenship for undocumented immigrants who currently are in the United States in any of the House bills.

We will continue to keep you advised.

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MR:MT:lm

c: Executive Office, Board of Supervisors
County Counsel



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August 30, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013. Congress adjourned for its summer recess on August 2, 2013, and will reconvene on September 9, 2013. As of today, no future Congressional action on immigration reform has been scheduled. Therefore, there are no new developments to report since the last progress report on immigration reform legislation was provided to the Board on August 5, 2013.

We will continue to keep you advised.

WTF:RA
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Board Memos 2013/Progress Rpt on Immigration Reform_090313

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October 3, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

In June 2013, the Senate passed S. 744, a comprehensive immigration reform bill, which increases border security and enforcement, reforms legal immigration, and provides a path to citizenship for undocumented immigrants. A comprehensive immigration reform bill has not yet been introduced in the House, and there has not been any legislative action on immigration since Congress returned from its summer recess on September 9, 2013. Moreover, last month, the bipartisan group of eight House members who had been attempting to draft a bipartisan immigration reform bill gave up that effort after two Republicans - Representatives Carter (Texas) and Johnson (Texas) - left the group, leaving it with only one Republican member. Representative Labrador (R-ID) previously left the group in June.

On October 2, 2013, House Democrats announced the release of a comprehensive immigration reform bill, which is similar to the version of the Senate immigration reform (S. 744) approved by the Senate Judiciary Committee except that the Senate's border security provisions are replaced by language from H.R. 1417, the bipartisan border security bill, which the House Homeland Security Committee approved in

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May 2013. H.R. 1417 neither prescribes nor funds border security measures unlike S. 744, which appropriates \$46.3 billion for specified border security improvements, such as 700 miles of border fencing. Instead, it requires the Department of Homeland Security to develop a comprehensive plan for securing operational control of the border.

The House Republican leadership has indicated that it would not bring S. 744 to the House floor for a vote. It also is extremely unlikely that it would allow the similar House Democratic immigration reform bill to be brought to the House floor - especially not in October when Congressional action will be focused on the budget matters, such as the Continuing Resolution and Federal debt ceiling.

We will continue to keep you advised.

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Fifth District

November 1, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

Senate

On June 27, 2013, the Senate passed S. 744, a comprehensive immigration reform bill, which includes increased border security and enforcement measures, legal immigration reforms, and a path to citizenship for undocumented immigrants. The bill passed with "aye" votes from 14 Republicans, including four Republicans who were part of the bipartisan "Gang of Eight" Senators, who played the lead role in drafting it.

House

As reported in the previous progress report, a bipartisan group of eight House members who had been attempting to draft a bipartisan House immigration reform bill abandoned that effort in September after all but one of the four Republicans left the group. Moreover, the House Republican leadership has indicated that it would not bring a comprehensive immigration reform bill, such as S. 744, to the House floor for a vote, but, instead, supports an incremental approach of moving narrower immigration bills, which have the support of the majority of House Republicans.

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On October 2, 2013, House Democrats introduced a comprehensive immigration reform bill (H.R. 15), which is modeled after the Senate-passed bill (S. 744) except that it replaces the Senate's border security language with provisions from H.R. 1417, the bipartisan border security bill, which the House Homeland Security Committee approved on a voice vote in May 2013. Unlike S. 744, H.R. 15 neither prescribes specific border security measures nor provides any funding for border security measures. Instead, it requires the Department of Homeland Security to develop a comprehensive strategy and implementation plan to secure operational control of the border.

To date, H.R. 15 has been co-sponsored by 186 House Democrats, but by only three House Republicans -- Representatives Denham (CA), Valadao (CA), and Ros-Lehtinen (FL) -- have co-sponsored the bill. On October 28, 2013, a spokesman for Senator Rubio (R-FL), who helped to craft S. 744, announced that Senator Rubio supported the House Republican leadership's strategy of moving piecemeal immigration bills rather than a comprehensive immigration reform bill, such as S. 744 or H.R. 15.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

c: Executive Office, Board of Supervisors
County Counsel



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

December 2, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

PROGRESS REPORT ON IMMIGRATION REFORM (ITEM NO. 34-B, BOARD MEETING OF FEBRUARY 5, 2013)

This memorandum is to provide a progress report on immigration reform legislation, as instructed by the Board on February 5, 2013.

The Congress did not take any legislative action on immigration reform legislation during November 2013. The House Republican leadership also has not changed its position that it will not pursue a comprehensive immigration reform bill, such as S. 744, which the Senate passed in June 2013. Unless otherwise instructed by the Board, this office will suspend providing the Board with monthly reports on the lack of progress on immigration reform legislation. However, if there are any significant developments on immigration reform in the future, we will continue to advise the Board through Washington, D.C. updates.

WTF:RA
MR:MT:gl

c: Executive Office, Board of Supervisors
County Counsel

Board Memos 2013/Progress Rpt on Immigration Reform_120213

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